

# **Application for Initial Funding under the State Fiscal Stabilization Fund Program**

**CFDA Numbers: 84.394 (Education Stabilization Fund) and  
84.397 (Government Services Fund)**



**U.S. Department of Education  
Washington, D.C. 20202**

**OMB Number: 1810-0690  
Expiration Date: 9/30/2009**

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# STATE FISCAL STABILIZATION FUND APPLICATION

## PART 1: APPLICATION COVER SHEET (CFDA Nos. 84.394 and 84.397)

Legal Name of Applicant (Office of the Governor):  Office of the Governor State of Nebraska	Applicant's Mailing Address:  Office of the Governor P.O. Box 94848 Lincoln, NE 68509-4848
State Contact for the Education Stabilization Fund (CFDA No. 84.394)  Name: Gerry A. Oligmueller  Position and Office: State Budget Administrator  Contact's Mailing Address: DAS Budget Division Room 1320, State Capitol P.O. Box 94664 Lincoln, NE 68509-4664  Telephone: (402) 471-2526 Fax: (402) 471-8074 E-mail address: <a href="mailto:Gerry.Oligmueller@nebraska.gov">Gerry.Oligmueller@nebraska.gov</a>	State Contact for the Government Services Fund (CFDA No. 84.397) <i>(Enter "same" if the same individual will serve as the contact for both the Education Stabilization Fund and the Government Services Fund.)</i> Name:  Position and Office: Same  Contact's Mailing Address:     Telephone: Fax: E-mail address:

To the best of my knowledge and belief, all of the information and data in this application are true and correct.

Governor or Authorized Representative of the Governor (Printed Name):  Gerry A. Oligmueller, State Budget Administrator	Telephone:  (402) 471-2526
Signature of Governor or Authorized Representative of the Governor: 	Date: 4-21-2010

Recommended Statement of Support from the Chief State School Officer *(Optional)*:

The State educational agency will cooperate with the Governor in the implementation of the State Fiscal Stabilization Fund program.

Chief State School Officer (Printed Name):  Roger Breed, Commissioner of Education	Telephone:  (402) 471-5020
Signature of the Chief State School Officer: 	Date: April 21, 2010

## PART 4, SECTION C: MAINTENANCE-OF-EFFORT BASELINE DATA

### SPECIAL NOTES:

- A State has some flexibility in determining the “levels of State support” for MOE purposes. For example, for the purpose of the elementary and secondary education MOE requirements, a State may use the level of support that the State provides through its primary elementary and secondary funding formulae, or it may use other relevant data. See Appendix C – Instructions for Part 4: Maintenance of Effort.

**1. Levels of State support for elementary and secondary education** *(the amounts reflect an aggregate level of State support):*

FY 2006      \$700,594,282

FY 2009\*      \$839,390,581

FY 2010\*      \$840,207,268

FY 2011\*      \$791,729,472 *1/25/10 Revision* \$809,934,560 *3/10/10 Revision*

*AK. 4/21/10*  
*BB 4/20/10*

(\* Provide data to the extent that data are currently available.)

**2. Levels of State support for public institutions of higher education** *(enter amounts for each year):*

FY 2006      \$519,412,293

FY 2009\*      \$608,776,382

FY 2010\*      \$608,776,382 *1/25/10 Revision*

FY 2011\*      \$610,776,381 *1/25/10 Revision*

(\* Provide data to the extent that data are currently available.)

**3. Additional Submission Requirements:** In an attachment to the application –

- (a) Identify and describe the data sources used in determining the levels of State support for elementary and secondary education; - and - **See ATTACHMENT #1**
- (b) Identify and describe the data sources used in determining the levels of State support for public IHEs. **See ATTACHMENT #1**

## PART 5, SECTION A: STATE USES OF THE EDUCATION STABILIZATION FUND

### SPECIAL NOTES:

- Section A of Part 5 requests data on the Education Stabilization Fund (CFDA No. 84.394). In completing this portion of the application, please refer to Appendix D – Instructions for Part 5: State Uses of Funds.
- At a later date, the Department will collect data on the levels of State support for elementary, secondary, and postsecondary education in FY 2011.
- These data may differ from the data in the levels of support for maintenance-of-effort purposes. See instructions in Appendix D.
- The term “postsecondary education” refers to public IHEs.

### 1. Levels of State Support for Elementary, Secondary, and Postsecondary Education

- (a) Level of State support for elementary and secondary education in FY 2008 provided through the State’s primary elementary and secondary education funding formulae \$ 768,613,973
- (b) Level of State support for public IHEs in FY 2008 \$ 584,063,890
- (c) Level of State support for elementary and secondary education in FY 2009 provided through the State’s primary elementary and secondary education funding formulae \$ 839,390,581
- (d) Level of State support for public IHEs in FY 2009 \$ 608,776,382
- (e) Level of State support for elementary and secondary education in FY 2010 provided through the State’s primary elementary and secondary education funding formulae \$ 933,876,018 Prior-Enacted  
\$ 840,207,268 Projected
- (f) Level of State support for public IHEs in FY 2010 \$ 608,776,382 1/25/10 Revision  
\$ 932,016,648 Enacted 1/25/10
- (g) Level of State support for elementary and secondary education in FY 2011 provided through the State’s primary elementary and secondary education funding formulae \$ 950,221,736 Enacted<sup>#</sup> 3/10/10  
\$ 791,729,472 Estimated 1/25/10  
\$ 809,934,560 Projected<sup>#</sup> 3/10/10
- (h) Level of State support for public IHEs in FY 2011 \$ 610,776,381 1/25/10 Revision

PAO 4/21/10  
PB 4/21/10

**Additional Information:** Did the State, prior to October 1, 2008, approve formula increases to support elementary and secondary education in FY 2010 or 2011, or to phase in State equity and adequacy adjustments?\*

☒ Yes

☐ No

\* See Appendix D Worksheets for further guidance on how such increases affect a State’s “use of funds” calculations.

<sup>#</sup> On March 10, 2010, FY 2011 aid was officially certified at \$950,221,736, resulting in \$809,934,560 in state support.

## 2. State's Primary Education Funding Formulae

**Additional Submission Requirement:** In an attachment to the application, identify and describe each of the State's primary elementary and secondary education funding formulae that were used in determining the calculations provided above for the levels of State support for elementary and secondary education.

See ATTACHMENT #2. See also 4/21/2010 *Explanation of Changes* document attached.

## 3. Data on State Support for Postsecondary Education

**Additional Submission Requirement:** In an attachment to the application, identify and describe the specific State data sources that were used in determining the calculations provided above for the levels of State support for public IHEs.

See ATTACHMENT #3

## 4. Restoration Amounts

Based on the Worksheets included in Appendix D, calculate and provide the amount of Education Stabilization funds that the State will use to restore the levels of State support for elementary, secondary, and postsecondary education in FYs 2009 and 2010. As explained in the Instructions in Appendix D, a State must determine the amount of funds needed to restore fully the levels of State support for elementary, secondary, and postsecondary education in FY 2009 before determining the amount of funds available to restore the levels of such support in FY 2010.

### SPECIAL NOTES:

- At a later date, the Department will collect data on the amount of funds, if any, that remain available to (1) restore the levels of State support for elementary, secondary, and postsecondary education in FY 2011, and (2) award subgrants to local educational agencies (LEAs) based on their proportionate shares of funding under Part A of Title I of the ESEA.
- The calculations for these data must be based on the State's total Education Stabilization Fund allocation as reflected in Appendix A and not on the State's initial Education Stabilization Fund award.
- Although the State must follow the Instructions in Appendix D, in order to determine the amount of funds that LEAs and IHEs will receive under the program (i.e., the "restoration amounts"), the Governor has discretion in determining when to release these funds to LEAs and IHEs.

- (a) Amount of the State's total Education Stabilization Fund allocation to be used to restore the level of State support for elementary and secondary education in FY 2009 \$ 0
- (b) Amount of the State's total Education Stabilization Fund allocation to be used to restore the level of State support for public IHEs in FY 2009 \$ 0

### Restoration Amounts (continued)

- (c) Amount of the State's total Education Stabilization Fund allocation to be used to restore the level of State support for elementary and secondary education in FY 2010 \$ 93,668,750
- (d) Amount of the State's total Education Stabilization Fund allocation to be used to restore the level of State support for public IHEs in FY 2010 \$ 0
- (e) Amount of funds, if any, remaining after restoring State support for elementary, secondary, and postsecondary education in FY 2009 and FY 2010 \$ 140,287,176
- (f) Amount of the State's total Education Stabilization Fund allocation to be used to restore the level of State support for elementary and secondary education in FY 2011 \$ 140,287,176
- (g) Amount of the State's total Education Stabilization Fund allocation to be used to restore the level of State support for public IHEs in FY 2011 \$ 0
- (h) Amount of funds, if any, remaining after restoring State support for elementary, secondary, and postsecondary education in FY 2009, FY 2010, and FY2011 \$ 0

**ATTACHMENT**

**PART 4, SECTION C: MAINTENANCE-OF-EFFORT BASELINE DATA (page 6 of application)**

**3. Additional Submission Requirements: In an attachment to the application –**

- a. Identify and describe the data sources used in determining the levels of State support for elementary and secondary education; - and –**

NEBRASKA RESPONSE

The level of state support for public elementary and secondary education represents the total amount (i.e., aggregate basis) of unrestricted aid provided to local school districts by the State of Nebraska in accord with the state's primary funding formula: the Tax Equity and Educational Opportunities Support Act, Neb. Rev. Stat. §79-1001 et seq. (2008), as amended by LB 545, 2009 Neb. Laws and LB 5, 2009 Neb. Laws, First Special Session.

All amounts represent the total funding appropriated, certified, and distributed to local school districts. Actual aid appropriations are documented in the *Nebraska Information System*. For FY 2010, the amount represents the \$824,960,159 General Funds appropriated and documented in LB 545A, §1, 2009 Neb. Laws and \$15,247,109 of available Insurance Premium Tax revenues. For FY 2011, the amount represents the \$796,734,560 General Funds appropriated and documented in LB 935, §128, 2010 Neb. Laws and \$13,200,000 of estimated Insurance Premium Tax revenues, following aid certification on March 10, 2010.

- b. Identify and describe the data sources used in determining the levels of State support for public IHEs.**

NEBRASKA RESPONSE

The level of state support for public higher education in Nebraska represents the total amount of unrestricted General Fund appropriations provided to the: 1) Nebraska Community College System; 2) Nebraska State College System; and 3) University of Nebraska.

For FY 2006, the amount represents actual General Fund appropriations less earmarks. General Fund earmarks totaled \$20,791,137 in FY 2006, including but not limited to the \$11.2 million earmark for "targeted research at the University of Nebraska". Actual appropriations are documented by the *Nebraska Information System*. For FY 2009, General Fund appropriations less earmarks for public higher education are based on appropriations authorized in LB 321, §183, §184, §258, and §259, 2007 Neb. Laws and LB 342A, §1, 2008 Neb. Laws. For FY 2010, General Fund appropriations less earmarks are authorized in LB 1, §148, §149, and §215, 2009 Neb. Laws, First Special Session, LB 603A, §7, 2009 Neb. Laws, and also includes a \$10 million transfer provided for by LB 2, §1, 2009 Neb. Laws. For FY 2011, General Fund appropriations less earmarks are authorized in LB 1, §148, §149, and §215, 2009 Neb. Laws, First Special Session, and LB 603A, §7, 2009 Neb. Laws.

Appendices to the

**Application for Initial Funding under the**

**State Fiscal Stabilization Fund Program**



# WORKSHEETS FOR PART 5, SECTION A: STATE USES OF EDUCATION

## STABILIZATION FUNDS - CALCULATING THE RESTORATION AMOUNTS

**WORKSHEET 3-B:** Calculating the amount of a State's Education Stabilization Fund allocation to be used to restore the level of State support for elementary, secondary, and postsecondary education in FY 2011 if, prior to October 1, 2008, the State enacted State elementary and secondary education formula increases for FY 2011 or State equity and adequacy adjustments

Line	Information	Amount
1.	Amount of the State's total Education Stabilization Fund allocation remaining after restoring the level of State support for education in FY 2009 and FY 2010 (If level of FY 2010 support was based on Worksheet 2-A, enter the amount on Line 12 of Worksheet 2-A; if level of FY 2010 support was based on Worksheet 2-B, enter the amount on Line 15 of Worksheet 2-B).	\$140,287,176
2.	Either the actual amount of State funds that the State provided through its primary elementary and secondary education funding formulae in FY 2008 or a prior-enacted amount of State funds that the State provided or will provide through its primary elementary and secondary education funding formulae in FY 2009 (Enter the amount on line 2 of Worksheet 1-A).	\$768,613,973
3.	Actual or projected amount that the State provided or will provide through its primary elementary and secondary education funding formulae in FY 2009 (Enter the amount on Line 4 of Worksheet 1-A).	\$839,390,579
4.	Enacted amount (including formulae increases and equity and adequacy adjustments enacted prior to October 1, 2008) that the State would provide through its primary elementary and secondary education funding formulae in FY 2011.	\$950,221,736 3/10/10 Rev.
5.	Projected amount that the State will provide through its primary elementary and secondary education funding formulae in FY 2011.	\$809,934,560 3/10/10 Rev.
6.	Enter the greater of the amounts on Lines 2, 3, or 4.	\$950,221,736 3/10/10 Rev.
7.	If the amount on Line 5 is greater than the amount on Line 6, enter 0; if the amount on Line 6 is greater than the amount on Line 5, enter the difference.	\$140,287,176
8.	Enter the greater of (1) either the actual amount of State support for public institutions of higher education (IHEs) in FY 2008 or a prior-enacted amount of State support for public IHEs in FY 2009 or (2) actual or projected amount of State support for public IHEs in FY 2009 (i.e., Enter the greater of the amounts on Lines 3 and 5 of Worksheet 1-A).	\$608,776,382
9.	Projected amount of State support for public IHEs in FY 2011.	\$610,776,381 11/20/09 Rev.
10.	If the amount on Line 9 is greater than the amount on Line 8, enter 0; if the amount on Line 8 is greater than the amount on Line 9, enter the difference.	\$0
11.	Enter the sum of the amounts on Line 7 and Line 10. This is the amount of funds needed to restore fully the levels of State support for elementary, secondary, and postsecondary education in FY 2011. If the amount on Line 11 is greater than the amount on than Line 1, <i>see Worksheet 3-D for Shortfall calculations and do not complete Lines 12, 13 and 14.</i>	\$140,287,176
12.	If the amount on Line 1 is greater than the amount on Line 11, enter the amount from Line 7. This is the amount of funds from the State's total Education Stabilization Fund allocation to be used to restore the level of State support for elementary and secondary education in FY 2011.	\$140,287,176
13.	If the amount on Line 1 is greater than the amount on Line 11, enter the amount from Line 10. This is the amount of funds from the State's total Education Stabilization Fund allocation to be used to restore the level of State support for postsecondary education in FY 2011.	\$0
14.	Enter the sum of the amounts on Line 12 and Line 13. This is the amount of funds from the State's total Education Stabilization Fund allocation to be used to restore the level of State support for elementary, secondary, and postsecondary education in FY 2011.	\$140,287,176

BM 4/21/10  
JB 4/21/10

### Explanation of Changes

On March 10, 2010, FY 2011 aid—to be distributed according to Nebraska's primary elementary and secondary school funding formula—was officially certified at \$950,221,736, resulting in an additional \$18,205,088 in state support.

No changes have been made to Nebraska's primary elementary and secondary school funding formula since LB 5 was adopted in the November 2009 Special Session of the Nebraska Legislature. The additional state support exclusively reflects the difference between the official certification amount and FY 2011 estimates generated in November 2009.

The attached table compares Nebraska's original and twice-amended application with respect to restoration amounts (Part 5, Section A, #4) and levels of state support (Part 4, Section C, #1 & #2). The change labeled "4/16/10 Revision" reflects the increase in state support related to the March 10, 2010 certification.

The SFSF Application amendment includes pages eight and nine, demonstrating that no changes were made to any restoration amounts for FY 2009 and FY 2010.

*R. Breed*  
4/21/10  
*HB*  
4/21/10

# Amendment to State Fiscal Stabilization Fund Application State of Nebraska

April 21, 2010

## Restoration Amounts, Part 5, Section A, #4, pages 8-9

	FY 2009		FY 2010		FY 2011		TOTAL
	K-12	IHEs	K-12	IHEs	K-12	IHEs	
Original Application, 6/8/2009	0	0	93,668,750	0	-	-	93,668,750
Amended Application, 1/21/2010	0	0	93,668,750	0	140,287,176	0	233,955,926
Amended Application, 4/21/2010	0	0	93,668,750	0	140,287,176	0	233,955,926

Note: Although the original SFSF Application filed 6/8/2009 did not collect specific restoration amounts for FY 2011, Nebraska authorized an FY 2011 restoration amount of \$140,287,176 for K-12 Education at that time per LB 545A, 2009 Neb. Laws. This was also documented in Worksheet 3-B, Line #11 of the original application.

## Level of State Support, Part 4, Section C, #1 & #2, page 6 and Part 5, Section A, #1

K-12	Original Application, 6/8/2009	Amended Application, 1/21/2010	Amended Application, 4/21/2010
FY 2006	700,594,282	700,594,282	700,594,282
FY 2009	839,390,581	839,390,581	839,390,581
FY 2010	840,207,268	840,207,268	840,207,268
FY 2011*	-	791,729,472	809,934,560**

*BB 4/21/10*  
*BB 4/21/10*

IHEs	Original Application, 6/8/2009	Amended Application, 1/21/2010	Amended Application, 4/21/2010
FY 2006	519,412,293	519,412,293	519,412,293
FY 2009	608,776,382	608,776,382	608,776,382
FY 2010*	620,041,136	608,776,382	608,776,382
FY 2011*	-	610,776,381	610,776,381

K-12--Elementary & Secondary Education

IHE--Public Institutions of Higher Education

\*Revised amounts

\*\*The "Prior-Enacted" amount for FY 2011 is \$950,221,736